

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JACK C. CHILINGIRIAN, 2006 APR 18 P 3:36

Petitioner,

U.S. DISTRICT COURT
DISTRICT OF MASS.

vs.

CIVIL ACTION NO. 05-CV-10005-RCL

DAVID L. WINN, WARDEN
FEDERAL MEDICAL CENTER DEVENS,

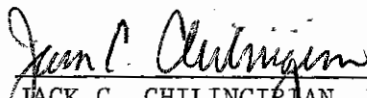
Respondent.

NOTICE OF APPEAL

Notice is hereby given that JACK C. CHILINGIRIAN, Petitioner, Pro Se hereby appeals to the United States Court of Appeals for the First Circuit from the Order Denying Petitioner's Motion to Set Aside Order of Dismissal and Reinstate Cause of Action for Habeas Relief which was entered on the 22nd day of March, 2006 by the Honorable Reginald C. Lindsay, United States District Judge for the District of Massachusetts. A copy of the Order is attached. The First Circuit has jurisdiction pursuant to 28 USC §1291 because this is an appeal from a Final Order of the District Court. Pursuant to Rule 18.3 of the Rules of the United States Supreme Court the Petitioner intends to file a Petition for Writ of Certiorari before Judgment in the First Circuit Court of Appeals.

APRIL 17, 2006

RESPECTFULLY SUBMITTED,


JACK C. CHILINGIRIAN, PETITIONER
22512-039 UNIT I (CAMP)
FEDERAL MEDICAL CENTER DEVENS
P.O. BOX 879
AYER, MA. 01432

United States District Court

District of Massachusetts

Notice of Electronic Filing

The following transaction was received from Lindsay, Reginald entered on 3/22/2006 at 6:51 PM EST and filed on 3/22/2006

Case Name: Chilingirian v. Winn

Case Number: 1:05-cv-10005

Filer:

WARNING: CASE CLOSED on 10/17/2005

Document Number:

Docket Text:

Judge Reginald C. Lindsay : ORDER entered denying [25] MOTION to Set Aside Order of Dismissal And Reinstate Cause Of Action For Habeas Relief by Jack C. Chilingirian. It is futile for the court to reopen this case, because the relief sought by the petitioner on the merits is foreclosed by the decision of the United States Court of Appeals, First Circuit in Perez-Olivo v. Chavez, 394 F.3d 45, 53 (1st Cir. 2005). (Lindsay, Reginald)

The following document(s) are associated with this transaction:

1:05-cv-10005 Notice will be electronically mailed to:

Jennifer C. Boal jennifer.boal@usdoj.gov, ellen.souris@usdoj.gov;
usama.ecf@usdoj.gov

1:05-cv-10005 Notice will not be electronically mailed to:

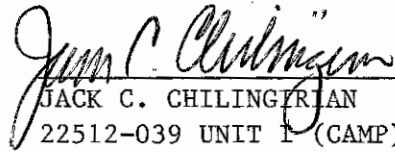
Jack C. Chilingirian
22512-039
Federal Medical Center Devens
P.O. Box 879
Ayer, MA 01432

CERTIFICATE OF SERVICE

I, JACK C. CHILINGIRIAN, Petitioner in the above captioned case hereby certifies that on the 17th day of April, 2006 a copy of the Notice of Appeal to the First Circuit Court of Appeals was sent by first-class mail with postage pre-paid in an envelope addressed to JENNIFER C. BOAL, AUSA 1 COURTHOUSE WAY SUITE 9200 BOSTON, MA. 02210

DATED: APRIL 17, 2006

RESPECTFULLY SUBMITTED,



JACK C. CHILINGIRIAN
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AYER, MA. 01432